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Attorney for Defendant ESTtech Inc.

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FOHSE INC., a Nevada Corporation.

Plaintiff,

vs.

ESTTECH INC, a Washington
Corporation

Defendant.

Case No.: 2:22-cv-00618-GMN-DJA

**JOINT STIPULATION AND
[PROPOSED] ORDER FOR
EXTENSION OF TIME FOR
DEFENDANT ESTTECH TO FILE
OPPOSITIONS.**

[FIRST REQUEST]

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1 Plaintiff FOHSE Inc. (“Fohse” or “Plaintiff”) and Defendant ESTtech Inc
 2 (“ESTtech” or “Defendant”) submit this Joint Stipulation to extend the amount of
 3 time for Defendant ESTtech to file oppositions to Defendant ESTtech’s pending
 4 motions. The parties do hereby stipulate to extend all oppositions to pending motions
 5 by one (1) week so long as Defendant ESTtech files an amended answer and
 6 counterclaim by September 30, 2022 and further so long as Third Party Defendant
 7 and Counterclaimant Yuyao Tanghong International Trade Co. Ltd. (“Yuyao”) files
 8 a motion for intervention also by September 30, 2022.

9 On April 13, 2022, Plaintiff filed a complaint against Defendant. On August
 10 26, 2022 ESTtech filed an answer and counterclaims against Plaintiff Fohse. Third
 11 party Yuyao in the same filing filed a third party complaint. In response to ESTtech’s
 12 motion, Fohse filed the following motions with the following deadlines for
 13 oppositions:

14 A) Motion to dismiss [ECF 11], filed 9/16/2022 – opposition
 15 deadline 9/30/2022

16 B) Answer and Counterclaims [ECF 12], filed 9/16/2022 –
 17 Answer Deadline 10/07/2022

18 C) Motion for judgment on the pleadings [ECF 13], filed
 19 9/19/2022 – opposition deadline 10/03/2022

20 D) Motion to Strike [ECF 15], filed 9/16/2022 – opposition
 21 deadline 10/03/2022

22 The parties wish to allow ESTtech an opportunity to amend its answer and
 23 counterclaims and for Yuyao to intervene in the case as a third party since Yuyao is
 24 the owner of patent at issue. ESTtech will file an amended answer and counterclaims
 25 by 09/30/2022 which should moot most if not all of the issues presented in the motion
 26 to dismiss, the motion for judgment on the pleadings, and the motion to strike. The
 27 parties wish to streamline the proceedings and preserve judicial resources and
 28 therefore wish to extend ESTtech’s time to file oppositions so that Fohse is allowed

1 time to consider withdrawing its various motions that ESTtech contends will be
2 mooted by ESTtech's and Yuyao's filings.

3 Accordingly, the Parties Stipulate as follows:

- 4 1) Defendant ESTtech to file an amended answer and counterclaims on or
5 before September 30, 2022.
- 6 2) Third Party Yuyao to file a motion to intervene on or before September 30,
7 2022.
- 8 3) ESTtech's deadline to file oppositions shall be extended by one week as
9 follows:
- 10 a. Motion to dismiss [ECF 11] – new opposition deadline 10/07/2022,
11 b. Answer and counterclaims [ECF 12], – new answer
12 deadline 10/14/2022,
13 c. Motion for judgment on the pleadings [ECF 13], – new opposition
14 deadline 10/10/2022,
15 d. Motion to Strike [ECF 15], – new opposition deadline
16 10/10/2022

17 This stipulation and order is sought in good faith and not for the purpose of
18 delay. No prior request for extension of time has been made as to the pending
19 motions. Good cause exists because the extension will promote efficiency and
20 judicial economy as the extension will allow Plaintiff Fohse an opportunity to
21 review the new filings and decide as to the mootness of its pending motions and
22 whether to withdraw its pending motions.

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1 DATED: September 30, 2022 Respectfully submitted,
2 BAYRAMOGLU LAW OFFICES LLC

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4 By: /s/ Nihat Deniz Bayramoglu
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11 *Attorneys for Defendant ESTtech Inc.*

12 DATED: September 30, 2022 Respectfully submitted,

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14 By: /s/ F. Christopher Austin
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21 *Attorneys for Plaintiff Fohse Inc.*

22 **ORDER**

23 **IT IS SO ORDERED.**

24 Dated this 3 day of October, 2022.

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27 Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT
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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of September 2022 I electronically filed a true and correct copy of the foregoing Joint Stipulation and [Proposed] Order for Extension of Time for Defendant ESTtech to File Oppositions with the Court using the CM/ECF system and thereby the foregoing document has been served to all counsel of record.

/s/ F. Christopher Austin
F. Christopher Austin